



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8EPR-N

Robert J. Thompson, District Ranger
Mystic Ranger District
Black Hills National Forest
8221 South Highway 16
Rapid City, SD 57702

RE: EPA Comments on Final Environmental
Impact Statement, Mystic Range Project,
CEQ #20100414

Dear Mr. Thompson:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4321, *et seq.*, and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the October 2010 Final Environmental Impact Statement (FEIS) for the Mystic Range Project. This FEIS was prepared by the Mystic Ranger District of the U.S. Department of Agriculture Forest Service (USFS) Black Hills National Forest to analyze potential environmental impacts associated with the reauthorization of domestic livestock grazing permits on eight allotments in the Mystic Ranger District. The project area is just west of Rapid City, South Dakota. The USFS administers the 85,055 acres of the project area.

EPA provided scoping comments on the proposed project in a July 9, 2009 letter, and we provided additional comments on the Draft Environmental Impact Statement (DEIS) with a May 24, 2010 letter. As described in the DEIS, the main focus of the project is to assess whether livestock grazing should continue on the proposed eight allotments, and if so, to determine any necessary revisions to current rangeland management practices as they relate to livestock, species composition of upland vegetation, streambank stability, and riparian vegetation diversity and abundance, as well as any revisions that may result in potential reductions of livestock-vehicle collisions. Although the DEIS did not identify a preferred alternative, the action alternatives (Alternatives B and C) would reauthorize grazing on all eight allotments. Alternative B does not include construction of new range structures, but existing improvements would be maintained or reconstructed, as needed. Alternative C includes prescribed burning and construction of new range structures, including fences, cattle guards, and water developments. The new structures are intended to provide better resource protection and livestock distribution, as well as reduced potential for livestock-vehicle collision. Existing improvements would be maintained or reconstructed, as needed. Both Alternatives B and C include adaptive management options,

which incorporate design criteria and best management practices (BMPs). EPA's concerns with the April 2010 DEIS were related to water resources, adaptive management and monitoring, and air quality.

To address comments received on the DEIS, the FEIS includes a new smoke management discussion in Chapter 3, Affected Environment and Environmental Consequences, and supplemental information in Appendix A, Public Involvement. Based on our review of the additional information provided in the FEIS, EPA believes its primary concerns with the DEIS have been addressed.

Water Resources

We appreciate that BMPs will be used to control nonpoint source pollution in order to ensure compliance with the South Dakota Nonpoint Source Management Program, other South Dakota applicable requirements, and the Federal Clean Water Act. In addition, we believe your selection of Alternative C will result in implementation of the preferable action alternative for mitigation of water resource impacts. The construction of new range structures should improve resource protection and livestock distribution. Alternative C meets the intent of the Spring Creek Total Maximum Daily Load for Fecal Coliform bacteria, which recommends that "livestock access to streams should be reduced, and livestock should be provided sources of water away from streams." The decision to change the exclusion of livestock in the Norbeck Wildlife Preserve from an adaptive management option to a required action should further improve riparian and stream conditions.

However, EPA is disappointed that existing water quality data is not presented in the FEIS in a more quantitative manner. Since you note that water quality monitoring is currently occurring on Spring Creek and selected tributaries, it seems that this information, at a minimum, is readily available.

Adaptive Management and Monitoring

We appreciate your commitment to all aspects of monitoring of rangeland activities. As you note, the scope and degree of monitoring will depend, in part, on budgets and personnel. Therefore, we continue to recommend that an environmentally conservative default management plan be defined in case adequate resources for monitoring are not secured.


Air Quality

EPA is disappointed that the FEIS did not summarize existing air quality near the project area to ensure that the decision-maker understands the baseline conditions and potential impacts associated with prescribed burning on the large acreage under consideration. However, the FEIS includes a new Smoke Management section under the Fire and Fuels analysis contained in Chapter 3. This new discussion provides some quantification of estimated prescribed fire emissions and identification of sensitive receptors. In addition, the supplemental information

provided in Appendix A, Public Involvement, lays out requirements for the site-specific Burn Plan to be developed for this project. Such requirements will include adherence to the Interagency Prescribed Fire Planning and Implementation Procedures Guide, and its related requirements for specific smoke mitigation techniques, meteorological conditions, and public notification. While appropriate smoke mitigation, modeling, and monitoring techniques should result from this process, EPA would welcome the opportunity to discuss the air quality analyses of any site-specific Burn Plans for this, and future, projects to ensure adequate protection of the National Ambient Air Quality Standards and nearby Class I and Sensitive Class II area visibility.

We appreciate the opportunity to review and comment on this FEIS. If we may provide further explanation of our comments, please contact me at 303-312-6004, or your staff may contact Amy Platt at 303-312-6449.

Sincerely,



Larry Svoboda

Director, NEPA Compliance and Review Program
Ecosystems Protection and Remediation